

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Rickey A. Fuquea,)	C/A No.: 1:19-2723-HMH-SVH
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Walter Vereen, S. Salem, C.)	
Nevils, C. Blackwelder, and P.)	
Wellman,)	
)	
Defendants.)	
)	

Plaintiff, proceeding pro se and in forma pauperis, brought this action alleging violations of his constitutional rights by defendants. On March 6, 2020, defendant filed a motion to dismiss, or in the alternative, for summary judgment. [ECF No. 36]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motion and of the need for him to file an adequate response by April 6, 2020. [ECF No. 37].¹ Plaintiff was specifically advised that if he failed to respond adequately, the motion may be granted.

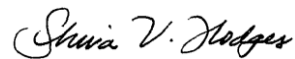
Notwithstanding the specific warning and instructions set forth in the

¹ On March 16, 2020, Plaintiff's deadline was extended an additional 21 days pursuant to the Standing Order of the Honorable R. Bryan Harwell, Chief United States District Judge, in response to the COVID-19 pandemic. *See* 3:20-mc-105.

court's *Roseboro* order, Plaintiff has failed to respond to defendant's motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon his claims. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to the motion for summary judgment by May 14, 2020. Plaintiff is further advised that if he fails to respond, the undersigned will recommend Plaintiff's case be dismissed for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

April 30, 2020
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge